

# EXHIBIT 2

10 NY ADC 5-1.52

Page 1

10 NYCRR 5-1.52

N.Y. Comp. Codes R. & Regs. tit. 10, § 5-1.52

**COMPILATION OF CODES, RULES AND REGULATIONS OF THE STATE OF NEW YORK**  
**TITLE 10. DEPARTMENT OF HEALTH**  
**CHAPTER I. STATE SANITARY CODE**  
**PART 5. DRINKING WATER SUPPLIES**  
**SUBPART 5-1. PUBLIC WATER SYSTEMS**  
**PUBLIC WATER SYSTEMS; MAXIMUM CONTAMINANT LEVELS; MONITORING REQUIREMENTS; NOTIFICATIONS REQUIRED.**

Volume XXXI, Issue 18, dated May 6, 2009.

**Section 5-1.52. Tables**

Table 1. Inorganic Chemicals and Physical Characteristics--Maximum Contaminant Level Determination.

Current through amendments included in the New York State Register,

Contaminants	MCL (mg/l) <sup>4</sup>	Determination of MCL violations
Asbestos	7.0 million fibers/liter (MFL) (Longer than 10 microns)	If the results of a monitoring sample analysis exceed the MCL, the supplier of water shall collect one more sample from the same sampling point within 2 weeks or as soon as practical.
Antimony	0.006	
Arsenic	0.010	
Barium	2.00	
Beryllium	0.004	An MCL violation for all contaminants listed in this table, except for Arsenic, occurs when the average <sup>1</sup> of the initial sample and any confirmation sample exceeds the MCL.
Cadmium	0.005	
Chromium	0.10	
Cyanide (as free Cyanide)	0.2	
Mercury	0.002	MCL violations for Arsenic will be determined as follows:
Selenium	0.05	
Silver	0.1	Compliance with the Arsenic MCL shall be determined based on the analytical result(s) obtained at each sampling point.
Thallium	0.002	
		For systems which are conducting monitoring at a frequency

N.Y. Comp. Codes R. & Regs. tit. 10, § 5-1.52

Contaminant	MCL (mg/L)	Determination of MCL violation
Nitrate	10 (as Nitrogen){1}	If the results of a monitoring sample analysis exceed the MCL, the supplier of water shall collect another sample from the same sampling point, within 24 hours of the receipt of results or as soon as practical.{2} An MCL violation occurs when the average of the two results exceeds the MCL.
Nitrite	1 (as Nitrogen)	
Total Nitrate and Nitrite	10 (as Nitrogen)	

- {1} An MCL of 20 mg/l may be permitted at a noncommunity water system if the supplier of water demonstrates that:
- (a) the water will not be available to children under six months of age;
  - (b) a notice that nitrate levels exceed 10 mg/l and the potential health effects of exposure will be continuously posted according to the requirements of a Tier 1 notification;
  - (c) the State will be notified annually of nitrate levels that exceed 10 mg/L; and
  - (d) no adverse health effects shall result.
- {2} Systems unable to collect an additional sample within 24 hours must issue a Tier 1 notification and must collect the additional sample within two weeks of receiving the initial sample results.

Table 3. Organic Chemicals--Maximum Contaminant Level Determination.

Contaminants	MCL (mg/L)	Type of water system	Determination of MCL violation
General organic chemicals			
Principal organic contaminant (POC)	0.005	Community, NTNC and	If the results of a monitoring sample analysis exceed the MCL, the supplier of water shall collect
Unspecified organic contaminant (UOC)	0.05	Noncommunity	
Total POCs and UOCs	0.1		

N.Y. Comp. Codes R. & Regs. tit. 10, § 5-1.52

one to three more samples from the same sampling point, as soon as practical, but within 30 days. An MCL violation occurs when at least one of the confirming samples is positive and the average of the initial sample and all confirming samples exceeds the MCL.

Disinfection Byproducts			The results of all analyses per quarter must be arithmetically averaged and must be reported to the State within 30 days of the public water system's receipt of the analyses. A violation occurs if the average of the four most recent sets of quarterly samples (12-month running average) exceeds the MCL. If a system fails to complete four consecutive quarters of monitoring, compliance with the MCL will be based on an average of the available data. For systems monitoring less than quarterly, compliance must be based on an average of samples taken that
{1},{2}			
Total	0.08	Community and NTNC	
trihalomethanes			
Haloacetic acids	0.06		

N.Y. Comp. Codes R. & Regs. tit. 10, § 5-1.52

year. If, during the first year of monitoring, any individual quarter's average will cause the annual average of that system to exceed the MCL the system is out of compliance at the end of that quarter.

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Transient  
Noncommunity Not applicable.  
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Specific Organic  
Chemicals

Alachlor	0.002	Community,	If the results of a
Aldicarb	0.003	NTNC and	monitoring sample
Aldicarb sulfone	0.002	Noncommunity	analysis exceed the
Aldicarb sulfoxide	0.004		MCL, the supplier of
Atrazine	0.003		water shall collect
Benzo(a)pyrene	0.0002		one to three more
Carbofuran	0.04		samples from the
Chlordane	0.002		same sampling point,
Di(2-ethylhexyl)	0.006		as soon as practical,
phthalate			but within 30 days.
Dibromochloropropane	0.0002		An MCL violation
(DBCP)			occurs when at least
2, 4-D	0.05		one of the confirming
Dinoseb	0.007		samples is positive
Diquat	0.02		and the average of
Endrin	0.002		the initial sample
Ethylene dibromide	0.00005		and all confirming
(EDB)			samples exceeds the
Heptachlor	0.0004		MCL.
Heptachlor epoxide	0.0002		
Hexachlorobenzene	0.001		
Lindane	0.0002		
Methoxychlor	0.04		
Methyl-tertiary-butyl-	0.010		
ether (MTBE)			
Pentachlorophenol	0.001		
Polychlorinated	0.0005		
biphenyls (PCBS)			

N.Y. Comp. Codes R. & Regs. tit. 10, § 5-1.52

Propylene glycol	1.0
Simazine	0.004
Toxaphene	0.003
2,4,5-TP (Silvex)	0.01
2,3,7,8-TCDD (dioxin)	0.00000003
Vinyl Chloride	0.002

{1} Systems using surface water or ground water under the direct influence of surface water and serving 10,000 or more people must comply with the disinfection byproducts standards by January 1, 2002. Systems using surface water or ground water under the direct influence of surface water and serving fewer than 10,000 people, or systems using ground water must comply by January 1, 2004. Until then, community water systems serving fewer than 10,000 persons must comply with an MCL of 0.1 mg/L for total trihalomethanes.

{2} A system that is installing granular activated carbon (GAC) or membrane technology to comply with the trihalomethane and haloacetic acid MCLs may apply to the State for an extension of up to 24 months past the compliance dates for those MCLs. Systems must comply with any interim measures and schedules of compliance set by the State.

Table 3A. Maximum Residual Disinfectant Level  
(MRDL) Determination

Disinfectant	MRDL{1} (mg/L)	Type of water system	Determination of MRDL violation
Chlorine	4.0 (as Cl)	Community and NTNC using chlorine or chloramines as disinfectant or oxidant	Compliance is based on a running annual arithmetic average, computed quarterly, of monthly averages of all samples collected by the system. If the running annual average exceeds the MRDL, the system is in violation and must notify the public.
Chloarmine{2}	4.0 (as Cl)		

N.Y. Comp. Codes R. & Regs. tit. 10, § 5-1.52

Chlorine Dioxide 0.8 (as Cl <sub>2</sub> )	Community, NTNC, Public Health Hazard and Transient (Acute Violation) Noncommunity
using chlorine dioxide as disinfectant or oxidant	Compliance is based on daily samples collected by the system. If any daily sample taken at the entrance to the distribution system exceeds the MRDL, and on the following day one (or more) of the three samples taken in the distribution system exceeds the MRDL, the system is in violation
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	Nonacute Violation
	Compliance is based on daily samples collected by the system. If any two consecutive daily samples taken at the entrance to the distribution system exceed the MRDL, and all distribution system samples taken are below the MRDL, the system is in violation.

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- {1} Systems using surface water or ground water under the direct influence of surface water and serving 10,000 or more people must comply by January 1, 2002. Systems using surface water or ground water under the direct influence of surface water and serving fewer than 10,000 people, or systems using ground water must comply by January 1, 2004.
- {2} In cases where systems switch between the use of chlorine and chloramines for residual disinfection during the year, compliance must be determined by including together all monitoring results of both chlorine and chloramines.

Table 4. Entry Point Turbidity--Maximum Contaminant Level Determination.<sup>1</sup>

N.Y. Comp. Codes R. & Regs. tit. 10, § 5-1.52

Contaminant	MCL	Determination of MCL violation
Entry point turbidity (surface water and ground water directly influenced by surface water)	1 NTU <sup>2, 4</sup> (Monthly average)	A violation occurs when the average of all daily entry point analyses for the month exceeds the MCL rounded off to the nearest whole number.
	5 NTU <sup>3, 4</sup>	A violation occurs when the average of two consecutive daily entry point analyses exceeds the MCL rounded off to the nearest whole number.
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{1} The requirements of this table apply to unfiltered systems that the State has determined, in writing pursuant to section 5-1.30 of this Subpart, must install filtration, until filtration is installed.		
{2} If the daily entry point analysis exceeds one NTU, a repeat sample must be taken as soon as practicable and preferably within one hour. If the repeat sample exceeds one NTU, the supplier of water must make State notification. The repeat sample must be used for the monthly average and the two-consecutive-day average.		
{3} If the two-consecutive-day average exceeds the MCL, the supplier of water shall analyze for microbiological contamination at a point downstream of the first consumer, but as close to the first consumer as is feasible. The additional microbiological sample should be taken within one hour or as soon as feasible after determining the two-consecutive-day average. The supplier of water shall report the result of this microbiological analysis to the State within 48 hours of obtaining the result. The result of this analysis shall not be used for monitoring purposes.		
{4} NTU = Nephelometric Turbidity Units.		

Table 4A. Surface Water Turbidity Performance Standards<sup>1</sup>